

TOWN OF PALM BEACH

Information for Town Council Meeting on: November 12, 2019

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: 726 Hi-Mount Road – Authorize Town Manager to Enter into a Hold Harmless Agreement and Waive Driveway Site Visibility Requirements

DATE: September 26, 2019

STAFF RECOMMENDATION

Town staff recommends that Town Council grant the Waiver and allow the property to remain with its existing conditions and accept the Hold Harmless and Indemnity Agreement.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Section 160-4, Rights-of-Way Manual adopted, the Director of Public Works shall establish and maintain a manual pertaining to construction standards and Town policy concerning work within road rights-of-way and easements. The manual was authorized by Ordinance Number 10-94, adopted by the Town Council on July 12, 1994.

Within the manual under Driveways and Driveway Approaches, Driveway Sight Visibility Triangles – Minor Streets, all driveways shall have minimum sight visibility triangles established measuring eight feet (8') by fifteen feet (15') on each side of the driveway. The eight-foot (8') dimension shall be measured perpendicular to the edge of the roadway and the fifteen-foot (15') dimension shall be measured along the roadway from the outside edge of driveway. No obstructions to vision greater than thirty inches (30") or landscaping with a mature height greater than thirty inches (30") allowed within sight triangle. Additionally, all driveways shall be a minimum distance of six feet (6') from the property line.

The site activities proposed, construction of a new residence with pools, hardscape, and landscaping, Permit B-19-80089, requires the site to meet current Public Works standards. The existing conditions of the property includes the following non-conforming uses to the Town of Palm Beach's Zoning Ordinance, in accordance with the 1990 Approved Amended Zoning Variance #21-90 attached allowed for: gates at three (3) driveway entrances at the front yard property line in lieu of a fifteen feet (15') setback as required, and at a height of nine feet (9') instead of the six feet (6;) height, do not meet current Public Works standards.

Attached is a letter from the applicant dated August 15, 2019 requesting the waiver from the sight visibility triangle and driveway requirements as established in the Public Works Rights-of-Way Manual.

By grant of this Waiver, Owner's Property is permitted to remain with the same setbacks, landscaping, configuration, and aesthetic profile as presently exists.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

TOWN ATTORNEY REVIEW

This agreement has been reviewed and approved by the Town Attorney for legal form and sufficiency.

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer